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CLERK OF DISTRICT COURT

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Attorneys for Plaintiffs

**MONTANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY**

Dale Roudebush, Natasha Wikstrom,  
Lenna Whitmore,

Plaintiffs

vs.

Cause No.; CDV 06-1082

Bradford L. Frank, DDS

Defendant

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**COMPLAINT AND JURY DEMAND**

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Plaintiffs, Dale Roudebush, Natasha Wikstrom, and Lenna Whitmore, for their  
Complaint, respectfully allege as follows:

1. All of the plaintiffs reside in Great Falls, Cascade County, Montana.

2. During all times relevant hereto, Defendant Frank operated a general dental office in Great Falls, Cascade County, Montana.

3. All of the plaintiffs were patients of Defendant Frank and were subjected to a pattern and practice of negligent professional conduct which caused them injuries and damages.

**CAUSE OF ACTION NO.1  
NEGLIGENCE**

4. Frank had a duty to use reasonable care in the practice of dentistry.

5. In connection with the treatment and care of the Plaintiffs, Frank breached his duty to use reasonable care in the practice of dentistry.

6. As a result of Frank's breach of his duty to use reasonable care, he caused injuries and damages to Roudebush, Wikstrom, and Whitmore.

WHEREFORE, Plaintiffs pray for relief as more fully set forth in the prayer for relief.

**CAUSE OF ACTION NO. 2  
SPOILATION OF EVIDENCE**

7. Plaintiffs re allege and incorporate by reference paragraphs 1 through 6 above as if fully set forth herein.

8. In an effort to disguise his negligence, Frank altered and destroyed medical records of the Plaintiffs.

9. As a result of Frank's alteration and destruction of medical records, the Plaintiffs have suffered damages.

WHEREFORE, Plaintiffs pray for relief as more fully set forth in the prayer for relief.

**CAUSE OF ACTION NO. 3  
MALICE**

10. Plaintiffs re allege and incorporated by reference paragraphs 1 through 9 above as if fully set forth herein.

11 Frank knew that alteration or destruction of the Plaintiffs' medical records would cause injury to the Plaintiffs, namely difficulty in proving his negligence.

12. Frank nevertheless proceeded to act to alter or destroy the Plaintiffs' medical records in conscious disregard of the likelihood of injury to the Plaintiffs.

13. As a result of Frank's wrongful act, he has caused injuries to the Plaintiffs.

WHEREFORE, Plaintiffs pray for relief as more fully set forth in the prayer for relief.

#### **PRAYER FOR RELIEF**

WHEREFORE Plaintiffs pray for relief as follows:

1. For a judgment in money damages sufficient to fully compensate them for the special and general damages which they have suffered and will in the future suffer as a result of Defendant Frank's wrongful conduct;
2. For a judgment for costs and other assessments as provided by law;
3. For exemplary damages in an amount sufficient to punish Frank for his malicious conduct; and
4. For such other and further relief as to the Court seems just.

#### **DEMAND FOR JURY TRIAL**

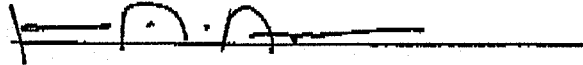
Plaintiffs request a jury trial of all issues triable by jury in this cause

DATED this 1 day of August 2006

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A handwritten signature, likely of Elizabeth A. Best, is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke at the end.